MINUTES OF THE HOUSE BUSINESS AND LABOR STANDING COMMITTEE

Room 450, State Capitol

January 24, 2012

Members Present: Rep. Jim Dunnigan, Chair

Rep. Dixon Pitcher, Vice Chair

Rep. Jim Bird Rep. Derek Brown Rep. Brian Doughty Rep. Susan Duckworth Rep. Gage Froerer Rep. Don Ipson

Rep. Todd Kiser Rep. Brad Last

Rep. Michael Morley Rep. Curt Webb Rep. Larry Wiley Rep. Brad Wilson

Staff Present: Mr. Bryant Howe, Assistant Director

Ms. Rosemary Young, Committee Secretary

Note: List of visitors and a copy of handouts are filed with committee minutes.

Chair Dunnigan called the meeting to order at 2:14 p.m and invited the committee members and staff to introduce themselves. Chair Dunnigan relinquished the chair to Vice Chair Pitcher.

H.B. 61 Portable Electronics Insurance Related Amendments (Rep. T. Kiser)

This bill was not heard.

H.B. 39 Amendment to Utah Optometry Practice Act (Rep. J. Dunnigan)

MOTION: Rep. Dunnigan moved to amend H. B. 39 as follows:

- 1. Page 1, Line 12:
 - 12 circumstances to sell { eyeglasses } an ophthalmic lens without being licensed under the chapter.
- 2. *Page 1, Lines 15 through 19:*
 - 15 allows a person in certain circumstances to sell, fit, adjust, and dispense {
 -eyeglasses
 - 16 or spectacles an ophthalmic lens without being licensed under the chapter;

Minutes of the Business and Labor Standing Committee January 24, 2012 Page 2 17 requires a prescription for {-eyeglasses} an ophthalmic lens; and 18 specifies the activities that the unlicensed person may engage in regarding the sale 19 or dispensing of { eveglasses or spectacles } an ophthalmic lens 3. Page 3, Line 88: 88 (3) selling or providing contact lenses { , eyeglasses, or spectacles } **ophthalmic lens** in a manner 4. Page 4, Lines 94 through 95: 94 Part 8. Contact Lenses and { Eyeglasses } **Ophthalmic Lenses** 95 ophthalmic lens seller or 58-16a-801. Contact lens and { eyeglass } provider. 5. Page 5, Lines 124 through 126: (i) provides the { eyeglasses or spectacles } ophthalmic lens consistent with and in accordance with {-an 125 eyeglass } an unexpired prescription from a licensed physician or optometrist; (ii) dispenses the { eyeglasses or spectacles } ophthalmic lenses within or 126 from the state; 6. Page 5, Lines 134 through 136: 134 (i) sell, reproduce, or dispense { eyeglasses or spectacles } ophthalmic lenses ; (ii) fit or adjust { eyeglasses, spectacles, } **ophthalmic lenses** or frames; 135 136 (iii) assist with the selection of frames for { eyeglasses or ophthalmic lenses ; spectacles } 7. Page 5, Line 139: multi-focal ophthalmic lenses.

accordance with Subsection (1), or to sell { eyeglasses or spectacles}

ophthalmic

8. Page 5, Line 142:

lenses in accordance with

Minutes of the Business and Labor Standing Committee January 24, 2012 Page 3

The motion passed unanimously with Rep. Kiser absent for the vote.

Rep. Dunnigan explained the bill to the committee.

Spoke for the bill: Cathy McCallum, 1 800 Contacts

MOTION: Rep. Morley moved to transmit H.B. 39 with a favorable recommendation. The motion passed unanimously with Rep. Kiser absent for the vote.

H.B. 29 Insurance Amendments (Rep. J. Dunnigan)

MOTION: Rep. Dunnigan moved to replace H.B. 29 with 1st Substitute H.B. 29. The motion passed unanimously with Rep. Kiser absent for the vote.

Rep. Dunnigan explained the bill to the committee assisted by the following individuals from the Utah Department of Insurance: Tanji Northrup, Suzette Green-Wright, Armand Glick, and Randy Overstreet.

Spoke for the bill: Kelly Atkinson, Utah Health Insurance Association Chris Purcell, State Farm Insurance

MOTION: Rep. Duckworth moved to transmit 1st Substitute H. B. 29 with a favorable recommendation. The motion passed unanimously with Rep. Brown absent for the vote.

H.B. 33 Fireworks Amendments (Rep. J. Dunnigan)

MOTION: Rep. Dunnigan moved to amend H. B. 33 as follows:

- 1. Page 1, Line 26 through Page 2, Line 42:
 - 26 53-7-225. Times for sale and discharge of fireworks.
 - 27 (1) A person may sell Class C common state approved explosives [may be: (1) sold
 - 28 <u>each year</u>] in the state as follows:
 - 29 (a) beginning on June $[\underline{26}]$ $\underline{23}$ and ending on July $[\underline{26}]$ $\underline{27}$;
 - 30 (b) beginning on December $[\frac{26}{30}]$ 29 and ending on $\{\frac{1}{30}\}$
 - **1 December 31**; and
 - 31 (c) [three] two days before and on the Chinese New {Year} Year's eve [; and].
 - 32 (2) [discharged each year] A person may discharge Class C common state approved
 - 33 <u>explosives in the state as follows:</u>

Minutes of the Business and Labor Standing Committee January 24, 2012 Page 4

- 34 (a) between the hours of 11 a.m. and 11 p.m.:
- 35 [(a)] (i) beginning on [June 26] July 1 and ending on July [26;] 7; and
- 36 (ii) beginning on July 21 and ending on July 27;
- 37 (b) beginning at 11 a.m. on December 31 and ending at 1 a.m. on the following day;
- 38 <u>and</u>
- 39 (c) beginning at 11 a.m. on the Chinese New { Year's eve and ending at 1 a.m. on the
- 40 following day.
- 41 [(b) on January 1 and December 31; and]
- 42 [(c) the day before and on the Chinese New Year.]

The motion passed unanimously with Rep. Brown and Rep. Morley absent for the vote.

Rep. Dunnigan explained the bill to the committee assisted by Brent Halliday, State Fire Marshall and Mike Mathieu, Ogden Fire Chief and president of Utah State Fire Chiefs Association.

Spoke for the bill: Terry Keefe, Layton Police Chief

MOTION: Rep. Ipson moved to transmit H. B. 33 with a favorable recommendation. The motion passed unanimously with Rep. Brown absent for the vote.

MOTION: Rep. Froerer moved to adjourn. The motion passed unanimously with Rep. Brown absent for the vote.

Vice Chair Pitcher adjourned the meeting at 3:38 p.m.

Rep.	James Dun	nigan, Chair	•